

AMENDED
APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office FEB 08 2001

Returned to applicant for correction MAR 09 2001

Corrected application filed APR 20 2001

Map filed APR 20 2001 under 67202

The applicant **Desert Pearl Farms**, hereby makes application for permission to change the **Point of Diversion of a portion** of water heretofore appropriated under **Permit 56856, Certificate 14490**

1. The source of water is **Underground**
2. The amount of water to be changed **1.086 c.f.s., 743.52 AFA**
3. The water to be used for **Irrigation and Domestic**
4. The water heretofore permitted for **Irrigation and Domestic**
5. The water is to be diverted at the following point **SE¼ SW¼ Section 33, T.14N., R.25E., MDM, or at a point from which the SW corner of said Section 33 bears South 87° 36' West, 2006 feet**
6. The existing permitted point of diversion is located within **NW¼ NW¼ Section 4, T.13N., R.25E., MDM, or at a point from which the NW corner of said Section 4 bears North 35° 27' 00" West, 457.0 feet**
7. Proposed place of use **See attached**
8. Existing place of use **See attached, no change**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **drilled well, pump and motor, and irrigation distribution system**
12. Estimated cost of works **\$50,000**
13. Estimated time required to construct works **1 year**
14. Estimated time required to complete the application of water to beneficial use **3 years**
15. Remarks **See attached**

Bruce R. Scott, Resource Concepts, Inc.
By s/Bruce R. Scott
340 North Minnesota Street
Carson City, Nevada 89703

Compared my/cmf ds/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 56856, Certificate 14490, is issued subject to the terms and conditions imposed in said Permit 56856, Certificate 14490, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 65724 and 67203 shall not exceed 2,243.52 acre-feet annually.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

The total combined duty of water under Permits 65724, 67034, 67202, 67203, and 67204, and any waters of the Walker River Decree and any storage water appurtenant to the place of use shall not exceed 2,631.0 acre-feet per year for the irrigation of 657.75 acres. The permittee is responsible for insuring delivery of the entitled decreed and storage waters that are supplemental to these permits. In any year that the Walker River Irrigation District declares a full allocation of decreed waters to the priority years of C-125 claims supplemental to these permits, underground water shall not be pumped from the wells described in these permits. In any year that the Walker River Irrigation District has no decreed or storage water, or declares a reduced allocation of surface waters to the priority years of C-125 claims supplemental to these permits, then the place of use of the permits can be irrigated with underground water, but not to exceed a duty of 4 acre-feet per acre per year from the total of decreed, storage, and underground waters.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.086 cubic feet per second, but not to exceed 743.52 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

May 16, 2003

Proof of completion of work shall be filed before:

June 16, 2003

Water must be placed to beneficial use on or before:

May 16, 2004

Proof of the application of water to beneficial use shall be filed on or before:

June 16, 2004

Map in support of proof of beneficial use shall be filed on or before:

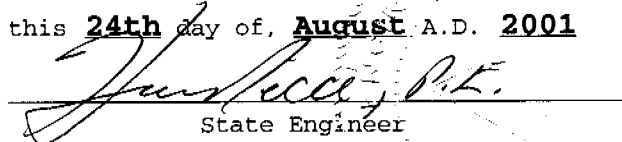
June 16, 2004

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 24th day of, August A.D. 2001


State Engineer

JUN 16 2003

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____

Issued _____

Items 7 and 8: Proposed Place of Use and Existing Place of Use:

NW $\frac{1}{4}$ NW $\frac{1}{4}$ (34.09 ac), NE $\frac{1}{4}$ NW $\frac{1}{4}$ (36.37 ac), SW $\frac{1}{4}$ NW $\frac{1}{4}$ (36.54 ac), SE $\frac{1}{4}$ NW $\frac{1}{4}$ (37.90 ac), NW $\frac{1}{4}$ NE $\frac{1}{4}$ (37.10 ac), NE $\frac{1}{4}$ NE $\frac{1}{4}$ (34.20 ac), SW $\frac{1}{4}$ NE $\frac{1}{4}$ (37.90 ac), SE $\frac{1}{4}$ NE $\frac{1}{4}$ (33.60 ac) Section 4, T.13 N., R.25 E., MDM; NE $\frac{1}{4}$ NE $\frac{1}{4}$ (6.70 ac), SE $\frac{1}{4}$ NE $\frac{1}{4}$ (40.00 ac), NE $\frac{1}{4}$ SE $\frac{1}{4}$ (40.00 ac), SE $\frac{1}{4}$ SE $\frac{1}{4}$ (38.60 ac) Section 32, T.14 N., R.25 E., MDM; NW $\frac{1}{4}$ NW $\frac{1}{4}$ (6.70 ac), NE $\frac{1}{4}$ NW $\frac{1}{4}$ (6.70 ac), SW $\frac{1}{4}$ NW $\frac{1}{4}$ (40.00 ac), SE $\frac{1}{4}$ NW $\frac{1}{4}$ (40.00 ac), NW $\frac{1}{4}$ SW $\frac{1}{4}$ (40.00 ac), NE $\frac{1}{4}$ SW $\frac{1}{4}$ (40.00 ac), SW $\frac{1}{4}$ SW $\frac{1}{4}$ (37.87 ac), SE $\frac{1}{4}$ SW $\frac{1}{4}$ (33.48 ac), Section 33, T.14 N., R.25 E., MDM, 657.75 acres total (currently reduced to 589 acres for approximately two years, as referenced in Temporary Permit 66891T).

Item 15. Remarks:

The well under Permit 56856 is being plugged and this application is to move the water rights into the redrill of the existing well under base right Permit 49258, which is currently being permitted under Temporary Permit 67033T. The water under this application is to be supplemental to water under Permit 65724, Application 67034, and applications (being filed concurrently) to change Permits 49258 and 53913, for irrigation of 657.75 acres (currently reduced to 589 acres for approximately 2 years, as referenced in Permit 66891T). Use proof of beneficial use map on file under Permit 45856 to support the existing point of diversion and the existing and proposed place of use.